

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL ACTION NO.</b>
	:	
<b>v.</b>	:	<b>17-CR-00442-WB</b>
	:	
<b>DARRELL JOHNSON</b>	:	

**ORDER**

AND NOW this 7th day of February, 2024, upon careful and independent consideration of Darrell Johnson’s petition for writ of habeas corpus (Doc. No. 174), the United States’ response in opposition (Doc. No. 177), Johnson’s reply to the United States’ response in opposition (Doc. No. 180) and the Report and Recommendation of U.S. Magistrate Judge Richard A. Lloret, and there being no Objections thereto filed by Petitioner, it is **ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Richard A. Lloret is **APPROVED** and **ADOPTED**;
2. Johnson’s Petition for Writ of Habeas Corpus is **DENIED** and **DISMISSED** with prejudice by separate Judgment, filed contemporaneously with this Order. *See* Federal Rule of Civil Procedure 58(a); Rules Governing Section 2255 Cases in the United States District Courts, Rule 12;
3. No certificate of appealability shall issue under 28 U.S.C. § 2253(c)(1)(B) because “the applicant has [not] made a substantial showing of the denial of a constitutional right[,]” under 28 U.S.C. § 2253(c)(2), since he has not demonstrated that “reasonable jurists” would find my “assessment of the constitutional claims debatable or wrong.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *see United States v. Cepero*, 224 F.3d 256, 262-63 (3d Cir.

2000), *abrogated on other grounds by Gonzalez v. Thaler*, 565 U.S. 134

(2012); and,

4. The Clerk of Court shall mark this file closed.

**BY THE COURT:**

*/s/ Wendy Beetlestone*

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**HON. WENDY BEETLESTONE**  
**United States District Judge**